

**SEMINOLE COUNTY GOVERNMENT  
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION  
AGENDA MEMORANDUM**

**SUBJECT:** Rezoning from A-1 to PCD/Sanford Auto Mall Rezone

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Matthew West **CONTACT:** Kathy Fall **EXT.** 7389

<b>Agenda Date</b> <u>10/2/02</u> <b>Regular</b> <input type="checkbox"/> <b>Work Session</b> <input type="checkbox"/> <b>Briefing</b> <input type="checkbox"/>
<b>Special Hearing – 6:00</b> <input type="checkbox"/> <b>Public Hearing – 7:00</b> <input checked="" type="checkbox"/>

**MOTION/RECOMMENDATION:**

1. APPROVE the rezoning request from A-1 to PCD for a 3.37 acre parcel located on the west side of Rinehart Road approximately ½ mile north of Town Center Boulevard (MCQ Autos, applicant); or
2. DENY the rezoning request from A-1 to PCD for a 3.37 acre parcel located on the west side of Rinehart Road approximately ½ mile north of Town Center Boulevard (MCQ Autos, applicant); or
3. Continue the public hearing until a date certain.

(District 5 – Commissioner McLain)

(Kathy Fall, Senior Planner)

**BACKGROUND:**

The applicant is requesting to rezone 3.37 acres that is currently zoned A-1 (Agriculture) to PCD (Planned Commercial Development District). The property is located on the west side of Rinehart Road approximately ½ mile north of Town Center Boulevard. The proposed use of the property is for a car dealership and repair shop and other C-3 uses.

**STAFF RECOMMENDATION:**

Staff recommends approval of the rezone from A-1 to PCD, for a 3.37 acre parcel located on the west side of Rinehart Road approximately ½ mile north of Town Center Boulevard, based on staff findings.

Reviewed by: Co Atty: _____ DFS: _____ OTHER: _____ DCM: _____ CM: _____
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File No. Z2002-019

<b>SANFORD AUTO MALL REZONE</b>				
<b>APPLICANT:</b>	MCQ Autos/Mark Stehli of Land Design Innovations			
<b>REQUEST:</b>	Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development District)			
<b>HEARING DATES(S):</b>	<b>P&amp;Z:</b>	October 2, 2002	<b>BCC:</b>	October 22, 2002
<b>PARCEL ID NO.:</b>	32-19-30-501-0000-0050			
<b>PROJECT LOCATION:</b>	Located on the west side of Rinehart Road approximately ½ mile north of Town Center Boulevard.			
<b>FUTURE LAND USE:</b>	High Intensity Planned Development – Target Industry			
<b>FILE NUMBER:</b>	Z2002-019			
<b>COMMISSION DISTRICT:</b>	District 5 – Commissioner McLain			

## **OVERVIEW**

The subject property is zoned A-1 and is within the High Intensity Planned Development – Target Industry future land use. The HIP-TI requires commercial development to be located on higher intensity roadways that can accommodate increased traffic due to short trip distances to major freeways. This proposed commercial development is located on Rinehart Road which is a four-lane collector roadway. The intersection of the Greenway (417) is less than ¼ mile from the south entrance of the site. The property owner is proposing to have uses allowed in the C-3 zoning district consisting of car dealership (5,000 square feet), body and paint shop (5,100 square feet) and a maintenance and repair building (6,000 square feet) which will have a combined square footage of 16,100 square feet.

The City of Sanford currently has approved three automotive dealerships on Rinehart Road and are currently processing an application for a dealership on the southwest corner of Seminole Town Center Boulevard and Rinehart Road.

**Existing Land Uses:** The existing zoning designations and land uses are as follows:

<b>DIRECTION</b>	<b>EXISTING ZONING</b>	<b>FUTURE LAND USE</b>	<b>USE OF PROPERTY</b>
Site	A-1	High Intensity Planned Development – Target Industry	Vacant/proposed Retail Commercial
North	S.R. 417/Greenway		
South	A-1	High Intensity Planned Development – Target Industry	Single-Family Dwelling
East	C-2	High Intensity Planned Development – Target Industry	

West	I-4/Off-ramp to S.R. 417
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For more detailed information regarding zoning and land use, please refer to the attached map.

## **SITE ANALYSIS**

### **Facilities and Services:**

1. Adequate facilities and services must be available concurrent with the impacts of development. The applicant has submitted an affidavit for deferral of concurrency testing. Prior to final development permits being issued, the applicant must submit for concurrency review.
2. The proposed rezoning is consistent with the adopted Future Land Use designation assigned to the property and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan.
3. The subject site is served by City of Sanford water and sewer.

**Compliance with Environmental Regulations:** Site development must comply with all applicable environmental regulations.

**Compatibility with surrounding development:** The request, as proposed, would be compatible with surrounding development and surrounding future land use designation of High Intensity Planned Development – Target Industry.

## **STAFF FINDINGS**

1. The proposed rezoning is consistent with the Vision 2020 Plan policies related to the High Intensity Planned Development – Target Industry land use designation.
2. The proposed rezoning is compatible with adjacent commercial and retail uses and the development trend along the Rinehart Road corridor.

## **STAFF RECOMMENDATION**

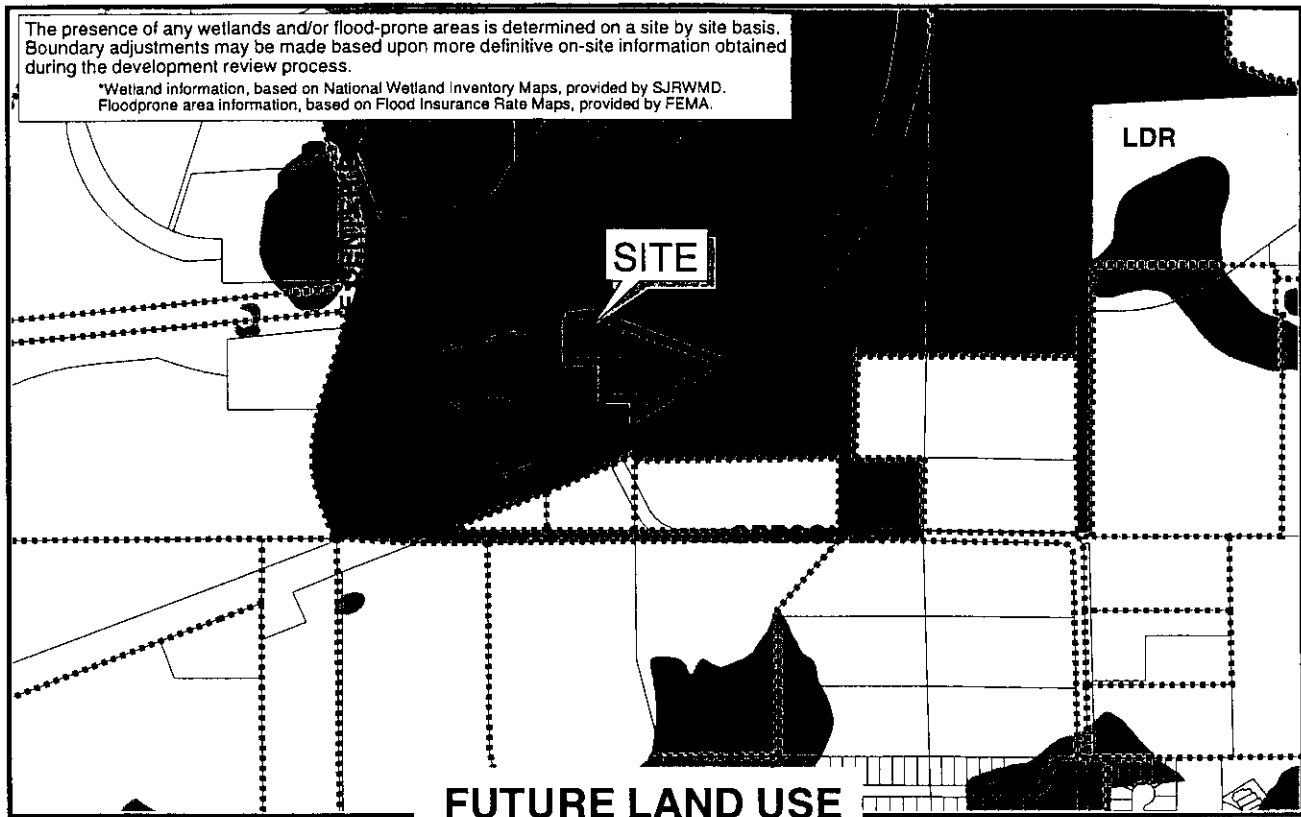
Staff recommends approval of the requested PCD zoning classification, based on the following conditions:

1. All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
2. Lighting on site shall be a maximum of 20 feet high with shoe-box cut off fixtures.
3. Owner shall provide left and right turn lanes on Rinehart Road.
4. Access to the site shall be right-in/right-outs on both entrances.
5. No overhead doors will be located on the back of the maintenance and repair buildings.

6. Owner shall provide amenities to the retention pond for it to count toward the required open space requirement. This shall be determined at time of Final PCD Master Plan approval.
7. Mechanical units shall not be visible from Rinehart Road. Screening shall be determined at Final PCD Master Plan approval.
8. Screening of the automotive repair uses from adjacent west side properties to be provided at Final Master Plan.
9. Elevations of buildings to be provided at Final Master Plan consisting of muted neutral colors.
10. Pedestrian connection shall be provided from sidewalk in Rinehart right-of-way to the main dealership building. Location and design to be provided at Final PCD Master Plan.

The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.

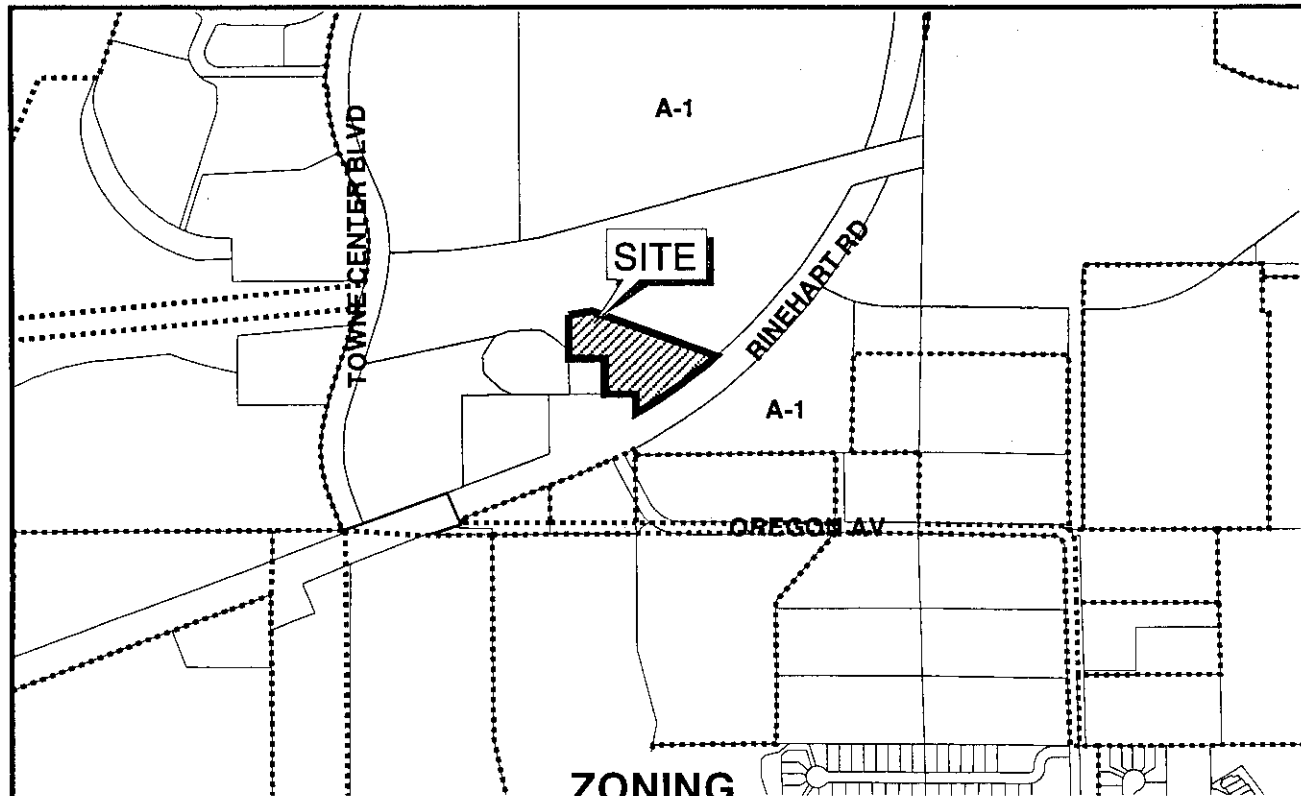
\*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.  
Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site
  Municipality
  HIP
  LDR
  CONS

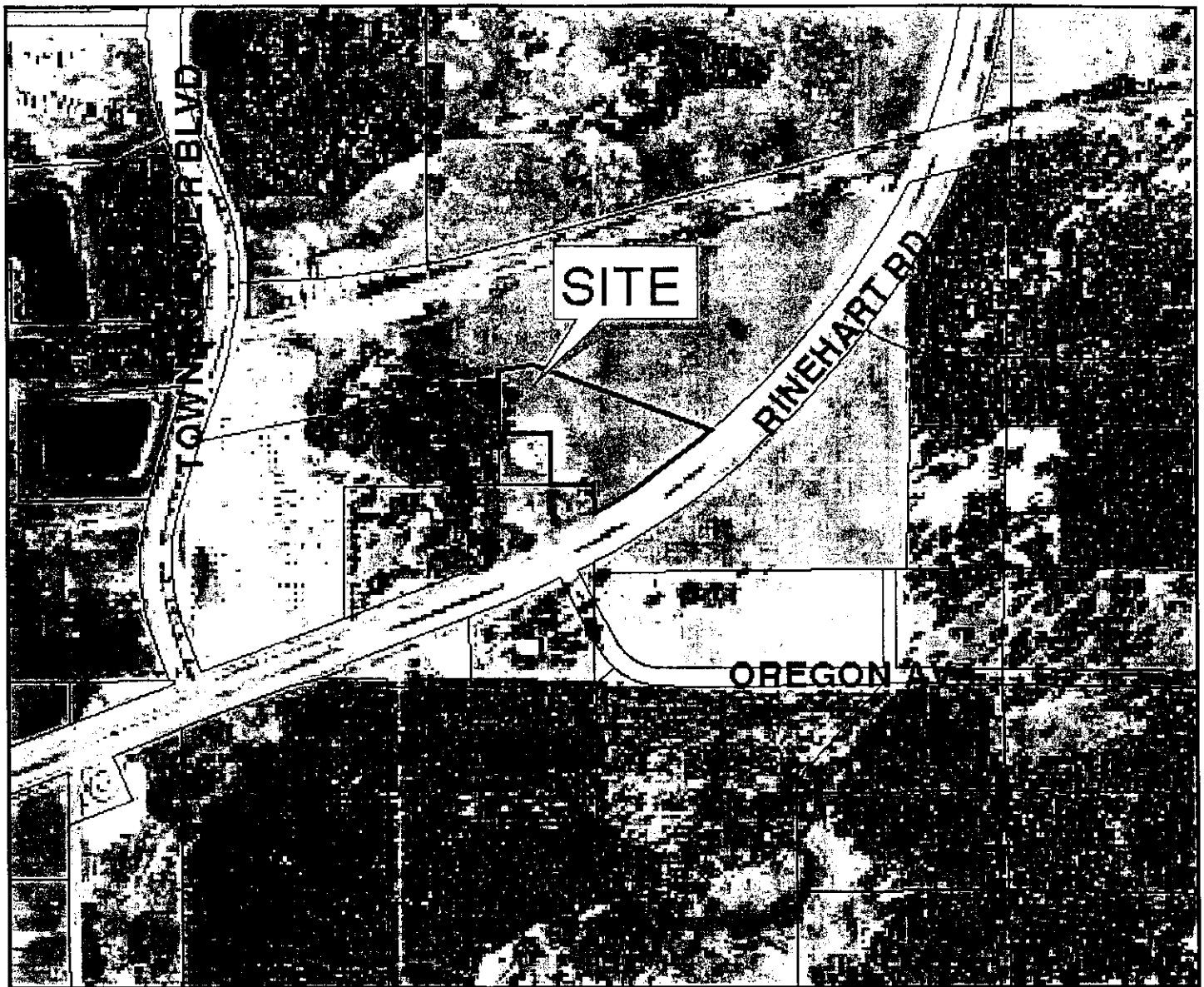
Applicant: MCQ Autos  
 Physical STR: 32-19-30-501-0000-0050  
 Gross Acres: 3.37 BCC District: 5  
 Existing Use: Vacant - Grazing Land  
 Special Notes: \_\_\_\_\_

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2002-019	A-1	PCD





**ZONING**

A-1

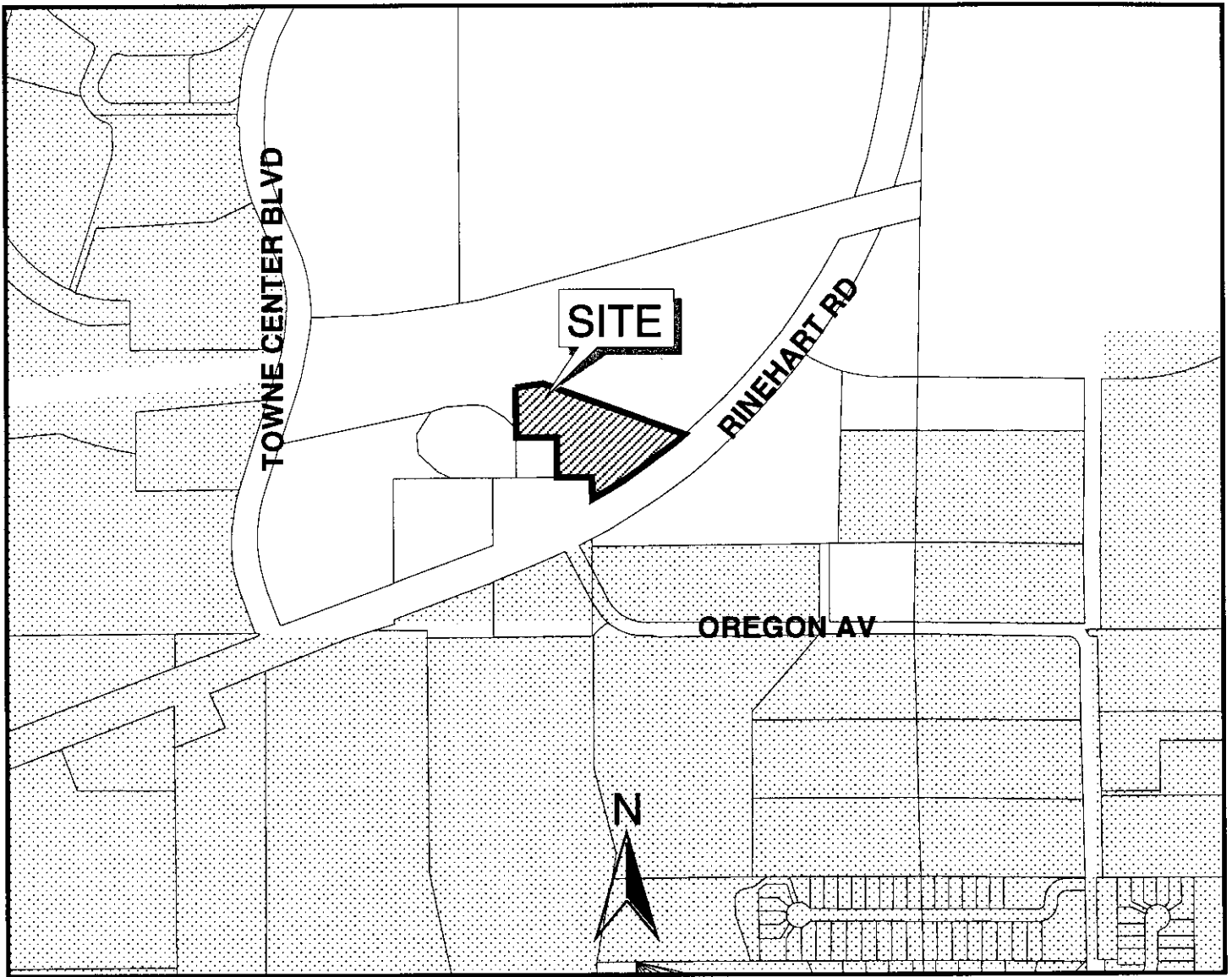


Rezone No. Z2002-019  
From: A-1 To: PCD

 Subject Property  
 Parcelbase



February 1999 Color Aerials



# PLANNED COMMERCIAL DEVELOPMENT PLANS FOR SANFORD AUTO MALL

SEMINOLE COUNTY, FLORIDA  
SEPTEMBER 2002

APPLICANT:

ADD AUTOC, INC.  
C/O SAMEER ASFOUR  
405 HOPKINS DRIVE  
SANFORD, FLORIDA 32773  
TEL: 407-328-0088  
FAX: 407-328-0999

CIVIL ENGINEER:

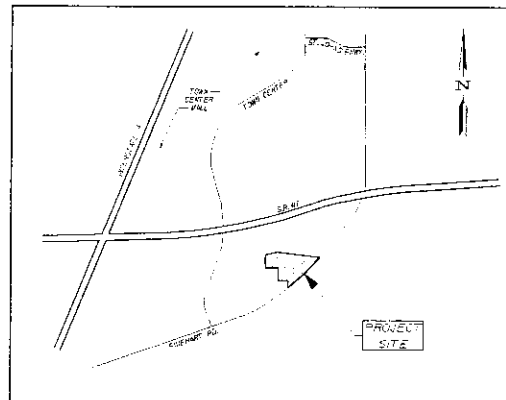
LAND DESIGN INNOVATIONS, INC.  
40 HOPKINS AVENUE, STE. 295  
WINTER PARK, FLORIDA 32789  
TEL: 407-975-1273  
FAX: 407-975-1278

LAND PLANNER:

LAND DESIGN INNOVATIONS, INC.  
40 HOPKINS AVENUE, STE. 295  
WINTER PARK, FLORIDA 32789  
TEL: 407-975-1273  
FAX: 407-975-1278

SURVEYOR:

CONCRETE SURVEYORS, INC.  
200 EAST COMMERCIAL STREET  
SANFORD, FLORIDA 32771  
TEL: 407-322-4511



SECTION 17, T1P 15 S, R1E 30 E

LOCATION MAP  
N.T.S.

DRAWING INDEX

01 COVER SHEET  
02 MASTER SITE PLAN



**LAND DESIGN INNOVATIONS**  
Incorporated

140 HOPKINS AVENUE, STE. 295  
WINTER PARK, FLORIDA 32789  
TEL: 407-975-1273 FAX: 407-975-1278

PROJECT NO. 02014.01  
REVISED 09/05/02





**SEMINOLE COUNTY DEVELOPMENT  
ORDER**

On October 22, 2002, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owner:** WPB Properties/Clara Ball  
35929 Osprey Lane  
Eustis, FL 32736

**Project Name:** Sanford Auto Mall Rezone

**Requested Development Approval:** Rezone of 3.37 acres from Agriculture (A-1) to  
Planned Commercial Development District  
(PCD)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Kathy Fall  
1101 East First Street  
Sanford, Florida 32771

**SEMINOLE COUNTY DEVELOPMENT  
ORDER**

On October 22, 2002, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

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**FINDINGS OF FACT**

**Property Owner:** WPB Properties/Clara Ball  
35929 Osprey Lane  
Eustis, FL 32736

**Project Name:** Sanford Auto Mall Rezone

**Requested Development Approval:** Rezone of 3.37 acres from Agriculture (A-1) to Planned Commercial Development District (PCD) to allow for a car dealership and repair shop and other C-3 uses.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Kathy Fall  
1101 East First Street  
Sanford, Florida 32771

**Order**

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
  - a. All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
  - b. Lighting on site shall be a maximum of 20 feet high with shoe-box cut off fixtures.
  - c. Owner shall provide left and right turn lanes on Rinehart Road.
  - d. Access to the site shall be right-in/right-outs on both entrances.
  - e. No overhead doors will be located on the back of the maintenance and repair buildings.
  - f. Owner shall provide amenities to the retention pond for it to count toward the required open space requirement.
  - g. Mechanical units shall not be visible from Rinehart Road. Screening shall be determined at Final PCD Master Plan approval.
  - h. Screening of the automotive repair uses from adjacent west side properties to be provided at Final Master Plan.
  - i. Elevations of buildings to be provided at Final Master Plan consisting of muted neutral colors.
  - j. Pedestrian connection shall be provided from sidewalk in Rinehart right-of-way to the main dealership building. Location and design to be provided at Final PCD Master Plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said

property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

**Done and Ordered on the date first written above.**

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Daryl G. McLain  
Chairman

**OWNER'S CONSENT AND COVENANT**

**COMES NOW**, the owner, WPQ Properties, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
WPB Properties/Clara Ball  
Property Owner

\_\_\_\_\_  
Witness

**STATE OF FLORIDA**

**COUNTY OF SEMINOLE**

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Clara Ball, who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

**AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; THE ZONING CLASSIFICATION ASSIGNED TO THE FOLLOWING DESCRIBED PROPERTY IS CHANGED FROM AGRICULTURE (A-1) TO PLANNED COMMERCIAL DEVELOPMENT DISTRICT (PCD); PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:**

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Sanford Auto Mall Rezone".

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

**Section 2. REZONING.** The zoning classification assigned to the following described property is changed from Agriculture (A-1) to Planned Commercial Development District (PCD):

**See Exhibit "A"**

**Section 3. CODIFICATION.** It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

**Section 4. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this

Ordinance which can be given effect without the invalid provision or application and to this end the provisions of this Ordinance are declared severable.

**Section 5. EFFECTIVE DATE.** This Ordinance shall take effect upon filing a certified copy of this Ordinance with the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes.

ENACTED this 22th day of October 2002.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Daryl G. McLain  
Chairman

Attest:

\_\_\_\_\_  
Maryanne Morse  
Clerk to the Seminole County Board  
of County Commissioners



## **EXHIBIT A LEGAL DESCRIPTION**

PARENT TRACT DESCRIPTION: (FROM OFFICIAL RECORDS BOOK 1265, PAGE 1570, PARCEL 1) Lot 5, PINE LAKE GROVES, according to the Plat thereof as recorded in Plat Book 9, page 27, of the public records of Seminole, County, Florida.

**PARCEL DESCRIPTION: (WRITTEN BY SURVEYOR)**

Lot 5, PINE LAKE GROVES, according to the Plat thereof as recorded in Plat Book 9, Page 27, of the Public Records of Seminole County, Florida, lying Northwesterly of Rinehart Road, LESS Commence at the Northwest corner of said Lot 5 and run S 00°17'04"E along the West line of said Lot 5, 403.56 feet to the Point of Beginning; thence continue S 00°17'04"E along said West line, 165.00 feet to a point on the North line of Lot 10 of said PINE LAKE GROVES; thence run S 89°35'24"E along said North line, 159.24 feet; thence departing said North line run N 00°17'04"W, 165.00 feet; thence run N 89°48'24"W, 159.24 feet to the Point of Beginning; AND ALSO LESS that particular parcel of land described as Parcel 320, Part B in the Florida Department of Transportation Order of Taking recorded in Official Records Book 3676, Page 1189 of the Public Records of Seminole County, Florida being more particularly described as follows: Begin at the Northwest corner of said Lot 5 and run S 00°17'04"E along West line of said Lot 5, 232.48 feet; thence departing said West line run N 81°58'59"E, 106.56 feet; thence run S 69°48'16"E, 597.40 feet to a point on the Northerly right-of-way line of Rinehart Road, said point being on a curve concave Northwesterly having a radius of 2476.48 feet, a chord of 964.56 feet, and a chord bearing of N 37°34'43"E; thence run Northeasterly along said curve and right-of-way line, 970.75 feet through a central angle of 22°27'34" to a point on the North line of a said Lot 5; thence run S 74°49'26"W along said North line, 1300.95 feet to a Point of Beginning: The parcel of land described hereon contains 146878.54 square feet or 3.3719 acres.